provided by the candidate to the web server through the web browser, are recorded in a unique file allocated to the candidate. The support of the amendment to claims can be found on page 16, lines 23-24. No new matter has been introduced by way of the amendment.

Applicant has amended claim 25 to clarify that the ability of a candidate is evaluated based on the answer provided by the candidate. Applicant has amended claim 31 to change "the central processing site" to "a central processing site with the web server". Applicant has amended claim 35, which was dependent from claim 9, to be dependent from claim 34. Applicant has cancelled claim 37. Applicant has amended claims 38 and 39 to be dependent on claim 9. Applicant has amended claim 40 to correct typographical errors. Applicant has amended claims 41 and 42 to recite that the action of a user, who enters his answer, is identified.

Claims 1-23, 25-36 and 38-42 remain in this application. Applicant submits herewith a separate appendix, a version of the amended claims with markings to show the changes made thereto.

Applicant respectfully requests entry of those amendments and reconsideration of the rejections for the reason set out below.

In this application, independent claims 1, 9, 17-23, 25 and 40-42 are now included.

According to claims 1, 9 and 18-23, a computer based testing is provided through a web server and a web browser to a candidate. The web server records a current state of the examination session of the candidate in a unique file at a predefined interval during each examination session. The unique file is allocated to the candidate in each examination session and is not allocated to the client computer. In the unique file, a question, which is provided to the candidate from the web server through the web browser, and an answer to the question, which is provided by the candidate to the web server through the web browser are recorded.

By contrast, Derzay is direct to medical testing using medical data. The medical data are acquired by client systems, i.e. diagnostic systems 12, which have medical diagnostic data acquisition equipment (col. 5, lines 41-44). For this purpose, Derzay has a network to connect a centralized service facility 22 and the diagnostic systems 12. The examination of Derzay is implemented by processing diagnostic data obtained by the client systems, and is not linked to a person who takes examinations provided by a web server.

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Sonnenfeld is directed to a system for designing tests. Bowman-Amuah discloses a computer network system for providing communication services. Sonnenfeld and Bowman-Amuah are not directed to performing or administering a computer based testing.

Regarding to claim 1, the Examiner stated that Derzay disclose a client computer connected to the Internet for beginning a session and running an examination (col. 8, lines 14-28). On Col. 8, lines 19-22, Derzay states that the user will configure examination requests and view the results of examinations. However, Derzay does not disclose providing examination to users from a web server, and the users provide answers to the web server.

Further, the Examiner stated that Derzay discloses a unique file allocated to a candidate in each examination session (col. 13, lines 40-65). However, on col. 13, lines 44-49, Derzay states that "with the system state remaining at its condition just prior to accessing the service request page, image data files, log files, error files, and so froth may be identified, captured, stored and transmitted to the service facility for evaluation of potential problem in the diagnostic system". Thus, Derzay 's files are linked to "the diagnostic system 12", and not to a candidate who provides answers during the examination session.

Regarding to claim 9, the Examiner stated that Derzay discloses receiving and displaying examination content, and automatically maintaining state of the candidate's examination session through a unique file (col. 13, lines 20-65 and col. 14, lines 1-20). However, as described above, Derzay's file is allocated to the diagnostic system 12. Further, on col. 14, lines 1-20, Derzay merely states that a service request page 202 has a series of identification areas 210.

Derzay, Sonnenefeld and Bowman-Amuah neither suggest nor teach that a question, which is provided to a candidate from a web server through a web browser, and an answer to the question, which is provided by the candidate to the web server through the web browser, are recorded at a predefined interval during the examination session into a unique file, which is allocated to the candidate as recited in claims 1, 9 and 18-23.

Regarding to claims 18-23, the Examiner stated that Sonnenfeld teaches that communication between the server and the client computer system can consist of "cookies".

However, Derzay, Sonnenefeld and Bowman-Amuah neither suggest nor teach that a cookie includes a question, which is provided to a candidate from a web server through the web

browser, and an answer to the question, which is provided by the candidate to the web server through the web browser as recited in claims 18-23.

It is respectfully submitted that claims 1, 9 and 18-23 and their dependent claims comply with U.S.C. 102 (e) and U.S.C. 103(a) in view of the cited references.

According to claim 25, a web server evaluates an ability of a candidate, who receives examination content and returns his answer. Based on this evaluation, a next examination content is selected.

Regarding claim 25, the Examiner stated that Derzay discloses selecting a next examination content based on evaluation on the web server during examination session and assigning to the candidate a new examination content (col.11, lines 16-65 and col. 12).

On col. 11, lines 16-65, Derzay discloses that a field service unit 24 has a functional circuitry for establishing a uniform service base for the diagnostic system and tools which enables the filed engineer to request and receive remote service messages, reports on specific diagnostic systems and service schedules. On col. 12, lines 19-21, Derzay discloses that the functional circuitry facilitates the exchange of service data between the diagnostic systems and a remote service facility. On col. 12, lines 25-65, Derzay discloses pages for providing interactive information, composing service requests, selecting and transferring messages, reports and diagnostic system software.

Derzay neither suggests nor teaches providing an examination content to a candidate from a web server, evaluating an ability of the candidate based on his answer to the examination content and selecting a next examination content for the candidate based on the evaluation as recited in claim 25.

Sonnenfeld and Bowman-Amuah do not add the teachings of Derzay to render claim 25 anticipated and/or obvious.

It is respectfully submitted that claim 25 comply with U.S.C. 102 (e) and U.S.C. 103(a) in view of the cited references.

According to claim 17, a user interface is provided for a computer based examination.

The interface has a first button for a calculation and a second button for a clock. The second button enables the clock to be adapted to display real time, examination time elapsed or examination time remaining. Claim 40 is a method claim corresponding to claim 17.

Regarding claims 17 and 40, the Examiner stated that Derzay discloses a system clock for examination, and Sonnenfeld teaches providing a calculation in the view for the use of an individual during an examination process. On col. 14, lines 23-25, Derzay merely states that a default time drawn from a system clock may be provided in a data stamp area 214, or the default time may be overridden by the use. Derzay, Sonnenfeld and Bowman-Amuah neither disclose nor suggest providing a user activable button for a clock on a display to change a clock content, which enables the clock to be adapted to display real time, examination time elapsed or examination time remaining as recited claims 17 and 40.

It is respectfully submitted that claims 17 and 40 comply with U.S.C. 102 (e) and U.S.C. 103(a) in view of the cited references.

According to claim 41, a user interface is provided for a computer based examination. A question identification on a first frame on a display is selected by a user (candidate), who is accessing the examination. When the action of the user, who answers the question of the question identification, is identified, the color of the question identification on the display is changed. Claim 42 is a method claim corresponding to claim 41.

Regarding claims 41- 42, the Examiner stated that changing color is merely a design choice. However, changing color is not a design choice. Changing color is technically linked to identifying a question identification selected by the user and identifying the action of the user who enters the answer.

The Examiner further stated that Derzay discloses a method of implementing GUI in use by the web server and web client to provide circuits for listing examination questions and content, and Sonnenfeld teaches modifying fields, links and buttons. However, Derzay, Sonnenfeld and Bowman-Amuah neither suggest nor teach changing a color on the question identification by identifying the action of the user as recited in claims 41-42.

It is respectfully submitted that claims 41-42 comply with U.S.C. 102 (e) and U.S.C.103(a) in view of cited references.

Applicant respectfully requests reconsideration of this application, based on the foregoing amendments and remarks.

If any further fees are required by this communication which are not covered by an enclosed check, please charge such fees to our Deposit Account No. 16-0820, Order No. 32973.

Respectfully Submitted,

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Marked-up version showing the changes to the claims of U.S. Ser. No. 09/667,954

1   1. (Twice Amended) A computer system for performing Internet based testing comprising:

2   a central processing site comprising a web server and a database for storing an

3   examination content; and

4   at least one client computer including a web browser, the web browser communicating with the

5   web server via the Internet for beginning an examination session, retrieving and displaying the

6   examination content, and responding to the examination content;

7   the web browser automatically providing, to the web server at a predefined interval during the

8   examination session, a request regarding to a candidate who is accessing the examination

9   content via the web browser;

10   the web server automatically recording, in response to the request from the web

11   browser, a current state of the examination session of the candidate at the predefined interval

12   <u>during the examination session</u> in a unique file, the unique file being allocated to the candidate

13   in each examination session<u>, the current state of the examination session of the candidate</u>

14   <u>including a question in the examination content, which is provided to the candidate from the</u>

15   <u>web server through the web browser, and an answer to the question, which is provided by the</u>

16   <u>candidate to the web server through the web browser.</u>

1   9. (Twice Amended) A method of administering Internet based testing on a client computer,

2   examination content being provided from a web server, the method comprising the steps of:

3   logging in a candidate who accesses a client computer with a web browser;

4   beginning an examination session <u>on the client computer, the candidate accessing the</u>

5   <u>examination content through the web browser;</u>

6   retrieving and displaying the examination content from the web server <u>on the client</u>

7   <u>computer</u> and responding to the examination content <u>from the web browser to the web server;</u>

8   and

9   automatically communicating between the web browser and the web server to record

10   a current state of the examination session of the candidate during the examination session at

11   the predefined interval in a unique file, the unique file being allocated to the candidate in each

12   examination session<u>, the current state of the examination session of the candidate including a</u>

13   <u>question in the examination content, which is provided to the candidate from the web server</u>

14   <u>through the web browser, and an answer to the question, which is provided by the candidate to</u>

15   <u>the web server through the web browser.</u>

1   18. (Twice Amended) Computer executable software code stored on a computer readable

2   medium, the code for administering a computer based examination having examination

3   content, the code comprising:

4   code to inquire of a web server whether a candidate who accesses a computer with a

5   web browser is allowed to access an examination content;

6   code to begin an examination session;

7   code to retrieve and display an examination content transmitted from the web server to

8   the web browser;

9   code to update, on the web browser, a cookie during the examination session at a

10   predefined interval, the cookie including a current state of the examination session of the

11   candidate, the current state of the examination session of the candidate including a question in

12   the examination content, which is provided to the candidate from the web server through the

13   web browser, and an answer to the question, which is provided by the candidate to the web

14   server through the web browser;

15   code to recode the cookie into a unique file allocated to the candidate; and

16   code to transmit a request from the web browser to the web server at the predefined

17   interval, the request including the current state of the examination session of the candidate.

1   19. (Twice Amended) Computer executable software code stored on a computer readable

2   medium, the code for administering a computer based examination having examination

3   content, the code comprising:

4   code to transmit an examination content from a web server to a web browser, a

5   candidate accessing a computer with the web browser;

6   code to receive a request from the web browser on the web server during the

7   examination session at a predefined interval, the request including a cookie having a current

8   state of the examination session of the candidate;

9   code to return a response from the web server to the web browser indicating the

10   currently displayed content should not be changed; and

11   code to record the current state of the examination session of the candidate in a unique

12   file on the web server at the predefined interval, the unique file being allocated to the candidate

13   in each examination session, the current state of the examination session of the candidate

14   including a question in the examination content, which is provided to the candidate from the

15   web server through the web browser, and an answer to the question, which is provided by the

16   candidate to the web server through the web browser.

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1   20. (Twice Amended) A programmed computer for administering a computer based

2   examination having examination content, the programmed computer comprising:

3   a memory having at least one region for storing computer executable program code;

4   and

5   a processor for executing the program code stored in the memory, the code comprising:

6   code to inquire of a web server whether a candidate who accesses a computer with the

7   web browser is allowed to access an examination content;

8   code to begin an examination session;

9   code to update, on the web browser, a cookie during the examination session at a

10 predefined interval, the cookie including a current state of the examination session of the

11 candidate, the current state of the examination session of the candidate including a question in

12 the examination content, which is provided to the candidate from the web server through the

13 web browser, and an answer to the question, which is provided by the candidate to the web

14 server through the web browser; [and]

15   code to recode the cookie into a unique file allocated to the candidate; and

16   code to transmit a request from the web browser to the web server at the predefined

17 interval, the request including the current state of the examination session of the candidate.

1   21. (Twice Amended) A programmed computer for administering a computer based

2   examination having examination content, the programmed computer comprising:

3   a memory having at least one region for storing computer executable program code;

4   and

5   a processor for executing the program code stored in the memory, the code comprising:

6   code to transmit an examination content from a web server to a web browser, a

7   candidate accessing a computer with the web browser;

8   code to receive a request from the web browser on the web server during the

9   examination session at a predefined interval, the request including a cookie having a current

10 state of the examination session of the candidate, the current state of the examination session

11 of the candidate including a question in the examination content, which is provided to the

12 candidate from the web server through the web browser, and an answer to the question, which

13 is provided by the candidate to the web server through the web browser;

14   code to return a response from the web server to the web browser indicating the

15 currently displayed content should not be changed; and

16   code to record the current state of the examination session of the candidate in a unique

17 file on the web server at the predefined interval, the unique file being allocated to the candidate

18 in each examination session.

1   22. (Twice Amended) A computer readable medium having computer executable software code

2   stored thereon, the code for administering a computer based examination having an

3   examination content comprising:

4   code to inquire of a web server whether a candidate who accesses a computer with the

5   web browser is allowed to access an examination content;

6   code to begin an examination session:

7   code to retrieve and display an examination content transmitted from the web server to

8   the web browser;

9   code to update, on the web browser, a cookie during the examination session at a

10 predefined interval, the cookie including a current state of the examination session of the

11 candidate, the current state of the examination session of the candidate including a question in

12 the examination content, which is provided to the candidate from the web server through the

13 web browser, and an answer to the question, which is provided by the candidate to the web

14 server through the web browser; [and]

15   code to recode the cookie into a unique file allocated to the candidate; and

16   code to transmit a request from the web browser to the web server at the predefined

17 interval, the request including the current state of the examination session of the candidate.

1   23. (Twice Amended) A computer readable medium having computer executable software code

2   stored thereon, the code for administering a computer based examination having an

3   examination content comprising:

4   code to transmit an examination content from a web server to a web browser, a

5   candidate accessing a computer with the web browser;

6   code to receive a request from the web browser on the web server during the

7   examination session at a predefined interval, the request including a cookie having a current

8   state of the examination session of the candidate;

9   code to return a response from the web server to the web browser indicating the

10 currently displayed content should not be changed; and

11   code to record the current state of the examination session of the candidate in a unique

12 file on the web server at the predefined interval, the unique file being allocated to the candidate

13 in each examination session, the current state of the examination session of the candidate

14 including a question in the examination content, which is provided to the candidate from the

15 web server through the web browser, and an answer to the question, which is provided by the

16 candidate to the web server through the web browser.

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1   25. (Twice Amended) A method of providing an examination content, the method

2   comprising the steps of:

3   providing an examination content from a web server to a web browser, a candidate

4   accessing a computer with the web browser;

5   administering the web browser;

6   receiving an answer from the candidate on the web server;

7   evaluating [an result of an examination] an ability of [for] the candidate based on the

8   answer on the web server;

9   selecting a next examination content for the candidate based on the evaluation on the

10   web [sever] server during the examination session[:]; and

11   assigning to the candidate a new examination content.

1   30. (Amended) The method of claim 9 further comprising the step of monitoring, on the web

2   server, traffics so as to allow only legitimate transactions [ensuring a software in the client

3   computer to transact a process allowed by a central processing site].

1   31. (Amended) The method of claim 9 further comprising the step of establishing a virtual

2   private network (VPN) between [the] a central processing site with the web server and the client

3   computer.

1   35. (Amended) The method of claim [9] 34 further comprising the step of recovering the

2   examination session of the candidate using the log file and the unique file allocated to the

3   candidate.

1   38. (Amended) A method of [administering an internet based testing, the method comprising

2   the steps of:] claim 9, further comprising the steps of:

3   receiving an identification code of [an] the candidate from [a] the web browser on [a] the

4   web server when [a] the candidate logs on [a] the client computer [with the web server]; and

5   determining on the web server whether the candidate is allowed to enter [an] the

6   examination session[;],

7   [providing an examination content to the web browser;]

8   [repeatedly recording a state of the examination session of the candidate in a unique file

9   on the web server during the examination session, the unique file being allocated to the

10   candidate.]

1   39. (Amended) A method [of administering an internet based testing, the method comprising
2   the steps of:] of claim 9, further comprising the steps of:
3   providing [an] the examination content to [a] the web browser[, a candidate accessing
4   a computer with the web browser to take an examination] in a first language among a plurality
5   of languages;
6   [repeatedly recording a state of an examination session of the candidate in a unique file
7   on the web server during the examination session, the unique file being allocated to the
8   candidate in each examination session; and.]
9   selecting a second language among the languages; and
10   regenerating a current examination session in [a] the second language using the unique
11   file when the candidate [changes] selects the second language [to the second language among
12   the languages] during the examination session.   .

1   40. (Amended) A method of providing a user interface to a user for taking a computer based
2   examination, a [sever] server providing an examination content, the method comprising the
3   step of:
4   listing a number of a question on a first frame of a display based on an examination
5   content, the examination content including the question being provided from a server through
6   a network;
7   displaying the question on a second frame of the display based on the examination
8   content[,];
9   providing a user activable first button for a calculator on the first frame, the first button
10   enabling the calculator to be activated: and
11   providing a user activable second button for a clock on the first frame to change a clock
12   content, the second button enabling the clock to be adapted to either display real time,
13   examination time elapsed or examination time remaining.

1   41. (Amended) A user interface for providing a computer based examination to a user on a
2   client computer, a server providing an examination content to the client computer through a
3   network, the user interface comprising:
4   a circuit for listing a question identification on a first frame of a display based on an
5   examination content provided by a server through a network;
6   a circuit for displaying a question on a second frame of the display in response to
7   selection of the question identification by a user, the question corresponding to the selected
8   question identification[:];

9   a circuit for displaying a flag on the question identification in response to selection of the

10   question identification for the flag by the user; [and]

11   <u>a circuit for identifying an action of the user who enters an answer to the question; and</u>

12   a circuit for changing a color on the question identification when the user answers the

13   question.

1   42. (Amended) A method of providing a user interface to a user for taking a computer based

2   examination, a [sever] <u>server</u> providing an examination content, the method comprising the

3   step of:

4   listing a question identification on a first frame of a display based on an examination

5   content provided by a server through a network;

6   displaying a question on a second frame of the display in response to selection of the

7   question identification by a user, the question corresponding to the selected question

8   identification[:]<u>;</u>

9   displaying a flag on the question identification in response to selection of the question

10   identification for the flag by the user; [and]

11   <u>identifying an action of the user who enters an answer to the question; and</u>

12   changing a color on the question identification when the user answers the question.

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